



Legislation Text

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Res. No. 211

Resolution calling on the New York State Legislature and the Governor to amend the New York State Correction Law to prohibit registered sex offenders from living within fifteen hundred feet of a school.

By Council Members Barron, Gibson and King

Whereas, According to the New York State Division of Criminal Justice Services' ("DCJS") Sex Offenders Registry, there are more than 6,500 sex offenders living in New York City; and

Whereas, Sex offenders can pose a serious threat to the welfare of children; and

Whereas, Seven-year-old Megan Kanka was a New Jersey resident who was raped and brutally murdered by a known sex offender who moved across the street from the Kanka family's residence; and

Whereas, In 1996 the United States Congress passed a federal law in memoriam to Megan Kanka titled "Megan's Law", which authorizes local law enforcement agencies to notify the public about convicted sex offenders living in their communities; and

Whereas, Megan's Law requires every state to develop a procedure for notifying the public when a sex offender is released into their community; and

Whereas, The New York State Sex Offender Registration Act ("SORA") requires anyone on parole, probation or imprisoned for a sex offense to register with DCJS; and

Whereas, In addition, sex offenders sentenced to probation, local jail, or state prison must register upon their return to the community; and

Whereas, Convicted sex offenders who are assessed as posing a possible risk to reoffend are assigned a classification level; and

Whereas, Sex offenders who have been classified as a Level 2 (moderate) or Level 3 (high) are

identified on the New York State Sex Offender Registry; and

Whereas, According to DCJS's Sex Offenders Registry there are more than 4,000 Level 2 and Level 3 sex offenders living in New York City; and

Whereas, SORA does not restrict where a registered sex offender may live or travel; and

Whereas, However, a judge may order certain registered sex offenders not enter an area accessible to the public within 1000 feet of school grounds; and

Whereas, If the registered sex offender is conditionally released or under parole supervision and has been convicted of a qualifying offense against a victim under 18 years of age, there is a mandatory condition in New York State law which provides that the registered sex offender cannot enter an area accessible to the public within 1000 feet of school grounds: and

Whereas, There have been numerous instances of children who were sexually assaulted and murdered by convicted sex offenders who had access to children after they were released from prison; and

Whereas, New York State should limit areas where the most dangerous Level 2 and Level 3 sex offenders can live in order to protect children in areas where they are most vulnerable; and

Whereas, Passing legislation to prohibit Level 2 and Level 3 registered sex offenders from living within fifteen hundred feet of public or private grammar or high school will provide greater protection to our children than the current law; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature and the Governor to amend the New York State Correction Law to prohibit registered sex offenders from living within fifteen hundred feet of a school.

RCC
LS # 1115
4/24/14